

**Notice of Allowability**

Application No.

09/993,678

Examiner

Victor S Chang

Applicant(s)

HANADA ET AL.

Art Unit

1771

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed 1/5/2005.
2. ☒ The allowed claim(s) is/are 3.
3. ☒ The drawings filed on 27 November 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

***EXAMINER'S AMENDMENT***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the beginning of the specification, insert first sentence: "This application claims the benefit of foreign application Japan 2000-364496, filed Nov. 30, 2000."

***REASONS FOR ALLOWANCE***

2. The following is an examiner's statement of reasons for allowance:

Upon reconsideration, the Examiner now agrees with Applicants that while Park (US 5116881) teaches a typical tie layer which comprises olefin copolymers having polar functionalities, and WO 94/07930 merely discloses that the long-chain branched polymers taught therein possess the processability of conventional long-chain branched polymer melts and the mechanical characteristics of conventional solid linear polymers. In particular, WO '930 does not teach whether the long-chain branched polymers are capable of serving as adhesives (Appeal Brief, page 9, first and second full paragraphs). As such, it lacks sufficient motivation to combine the teachings of Park and WO '930, and substituting Park's tie layer with the long-chain branched polyolefin of WO '930 would appear to be hindsight oriented.

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Additionally, it should be noted that the Examiner's further search yielded two more references: Kawachi et al. (US 6183863) and JP 2001113654A. Specifically, Kawachi's invention is directed to an adhesive composition which comprises a long-chain branched polyolefin copolymer, with superior adhesive strength in high-temperature atmosphere, for laminates comprising a non-polyolefin layer (column 1, lines 50-57; and column 32, line 31 to column 36, line 29). As such, it would have been unobvious to one of ordinary skill in the art to combine Kawachi's teaching with the polyolefin-based laminate of Park. As to JP '654, while it expressly teaches a long-chain branched polyolefinic adhesive resin in a multilayered laminate of polyolefin foamed sheet by different inventors, and its Figs. 1 and 2 show exactly the same process for making a laminate as instantly claimed invention, it is noted that JP '654 has the same assignee (Sumitomo Chemical) as the present application, and also its publication date (4/24/2001) is out dated by the claimed priority date of JP 2000-364496 (11/30/2000) of present application. As such, JP '654 is not a prior to the instant invention.

Finally, the Examiner notes that a computer translation of application number JP 2000-364496, now published under publication number 2002-266511, is attached to this Office action, and it is noted that the instantly claimed invention is fully supported by JP 2000-364496.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 571-272-1474. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*VSC*  
Victor S Chang  
Examiner  
Art Unit 1771

2/16/2005

  
TERREL MORRIS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1700